

Margaret K. Pfeiffer (MP4552)
Rita M. Carrier (RC3847)
Susan K. Nash (SN1123)
1701 Pennsylvania Ave., N.W.
Washington, D.C. 20006
Tel.: (202) 956-7500
Fax: (202) 293-6330

Attorneys for Defendants/Counterclaimants
The Battery Conservancy & Warrie Price

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
BARBARA BROUGHEL, :
v. Plaintiff, : No. 07 Civ. 7755 (GBD)
THE BATTERY CONSERVANCY, : ECF Case
WARRIE PRICE, CLAIRE WEISZ, AND :
MARK YOES, "DBA" WEISZ + YOES, :
Defendants. :
----- x

**DECLARATION OF RITA M. CARRIER IN SUPPORT OF DEFENDANTS'
MOTION FOR JUDGMENT ON THE PLEADINGS**

CITY OF WASHINGTON)
) ss.:
DISTRICT OF COLUMBIA)

RITA M. CARRIER, being duly sworn, deposes and says:

1. I am counsel to Defendants, The Battery Conservancy and Ms. Warrie Price, in this action.

2. I am duly admitted to, and a member in good standing of, the Bars of the State of New York and of this Court.
3. I submit this declaration in support of Defendants' Motion for Judgment on the Pleadings pursuant to Federal Rule of Civil Procedure 12(c).
4. Attached hereto are true and correct copies of the following:
 - (i) EXHIBIT I: Plaintiff's FIRST AMENDED COMPLAINT, dated November 19, 2007, and attached Exhibits A1, A2, B, and C.
 - (ii) EXHIBIT II: Defendants' ANSWER AND COUNTERCLAIM, filed September 25, 2007, and attached Exhibits, 1, 2, 3, 4, 5, 6, and 7.
 - (iii) EXHIBIT III: PLAINTIFF'S REPLY TO COUNTERCLAIM, dated October 11, 2007.
 - (iv) EXHIBIT IV: Transcript of Hearing, November 20, 2007.

I declare, pursuant to 28 U.S.C. § 1746, under penalty of perjury that the foregoing is true and correct. Executed on this 3rd day of March, 2008.

/s/ Rita M. Carrier

Rita M. Carrier

CERTIFICATE OF SERVICE

A copy of the foregoing Carrier Declaration has been served on all counsel this 3rd day of March, 2008, via ECF.

/s/

Rita M. Carrier